

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-11 and 13-16 are requested to be canceled without prejudice or disclaimer.

Claims 17-34 are currently being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 17-34 are now pending in this application.

Claims 1-11 and 13-16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,006,351 to Peretz *et al.* (hereinafter “Peretz”) in view of U.S. Patent No. 6,363,419 to Martin *et al.* (hereinafter “Martin”). Further, claims 4-5 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Peretz in view of Martin and further in view of U.S. Patent No. 6,334,126 to Nagamoto *et al.* (hereinafter “Nagamoto”).

Applicant has canceled claims 1-11 and 13-16 without prejudice or disclaimer. New claims 17-34 have been added. Claims 17-34 are believed to be patentable vis-à-vis the cited references for at least the following reasons.

As noted in an earlier reply by Applicant, embodiments of the present application relate to a terminal for providing an application using a browser. In accordance with embodiments of the present invention, a terminal comprises a transceiver arranged to send items to and receive items from a server and further comprises a browser for displaying content and a memory unit for storing items. The terminal is in communication with the memory in order to store items which are pulled from the server to be accessed by the browser. The items either are pulled from the server in response to transfer requests and/or

are asynchronously pushed from the server without a request from the browser. An item is accessed by attempting to read the item from the memory. If that attempt is unsuccessful (e.g., the item is not in memory), a request for transfer of the item from the server is performed using a radio packet along with the appropriate content identifier.

The emulation of the additional application by several content items allows this application to be particularly adaptable in that it can be updated easily and tailored to the user's needs. Further, the transceiver enables the terminal to send radio transmissions to a server. The presence of this feature allows for the rapid two-way communication required for mobile internet browsing. The transceiver also provides the means by which the content items stored at the server are updated. These updates are effected automatically, without the user's interaction. Further, the emulation of the additional application does not unduly increase the traffic between the server and terminal because content items may be stored in a cache memory.

The cited references fail to teach or suggest the above-noted features of the pending claims. Peretz discloses a system in which a remote unit and a computer may communicate over one or more communications links. Specifically, Peretz discloses that the "memory may store the software application being executed by the CPU" and that the "ROM may store the applications ... that are permanently stored within the handheld unit." Peretz, col. 10, lines 31-32; col. 12, lines 16-18. Thus, Peretz fails to teach or suggest an application emulated by a combination of content items.

Peretz further fails to teach or suggest a "transceiver arranged to send radio packets to ... a server," as recited in the pending claims. The Examiner cites Peretz as allegedly disclosing this feature Peretz, col. 13, lines 10-15 and col. 11, lines 43-53. Applicant respectfully disagrees with this interpretation of the disclosure of Peretz.

Peretz discloses that the handheld unit may have a pager receiver to receive incoming messages from the server over a one-way paging link. Peretz discloses that "the second communications link may be a wireless pager frequency link ...[and to] receive the incoming pager messages, the remote unit may have a pager receiver 38." Peretz, col. 8, lines 4-7. There is no disclosure in Peretz related to the radio transmission capabilities of the handheld

device. Thus, in accordance with the disclosure of Peretz, the handheld device must use a telephone line in order to communicate with a server.

Further, Peretz fails to teach or suggest the reading of the terminal memory prior to requesting a message. As recited in pending claim 17, "accessing an item... involves attempting to read the item from the memory and then, if unsuccessful, requesting transfer of the item from the server ...." This allows the terminal to handle pushed items and pulled items within the same application. Peretz merely discloses that "the message may be stored in the RAM ...." Peretz, col. 13, line 14. Peretz fails to teach or suggest attempting to read items or messages from the terminal memory prior to requesting them from the server.

Thus, Peretz fails to teach or suggest at least the above-noted features of the pending claims. The other cited references fail to cure these deficiencies of Peretz. Accordingly, each of the pending claims is patentable.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 11 December 2008

By /G. Peter Albert, Jr./

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6735  
Facsimile: (858) 792-6773

G. Peter Albert Jr.  
Attorney for Applicant  
Registration No. 37,268